IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NORTH DAKOTA

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)	ORDER
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)	Case No. 1:24-cv-152
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On August 16, 2024, the court issued an order authorizing Plaintiff Doosan Bobcat North America, Inc. ("Doosan") to conduct pre-service discovery to, among other things, ascertain the identities of Defendants John Doe 1-5. (Doc. No. 9).

On September 7, 2024, Doosan filed a Motion to Substitute Parties. (Doc. No. 20). It seeks leave to substitute F&C Serving, LLC for John Doe 1, ANF Group, LLC for John Doe 2, Kelly James for John Doe 3, and Mega Contracting Group, LLC for John Doe 4. It advises:

- BOA's records show that BOA Account 9292 is in the name of F&C Serving, LLC, whose sole member is Francisco Castillo. They further show that Doosan transmitted the sum of \$166,950 by ACH ("March 2024 ACH") to BOA Account 9292 on March 21, 2024. Finally, they show that funds from the March 2024 ACH remained in BOA Account 9292 until June 3, 2024, when BOA's fraud department closed the account and removed the sum of \$168,820 from the account in what it termed a "Claims Processing Transaction." Mr. Castillo has attested by declaration under penalty of perjury that neither he nor F&C Serving, LLC received the funds from the Claims Processing Transaction.
- JPMorgan Chase Bank's records confirm that the Chase Account 5152 is in the name

of Mega Contracting Group, LLC, whose sole member, Mary Elizabeth Wicks,

appears to be deceased.

• JPMorgan Chase Bank's records confirm that the Chase Account 6375 is in the name

of ANF Group, LLC, whose sole member is Kelly James.

• Funds in Chase Account 7378 are not traceable to Doosan's funds.

(Doc No. 20-1).

The court **GRANTS** Doosan's Motion to Substitute Parties (Doc. No. 20). F&C Serving,

LLC shall be substituted for John Doe 1, ANF Group, LLC shall be substituted for John Doe 2,

Kelly James shall be substituted for John Doe 3, and Mega Contracting Group, LLC shall be

substituted for John Doe 4. Doosan shall file a second amended complaint by September 16, 2024,

that reflects these substitutions.

IT IS SO ORDERED.

Dated this 9th day of September, 2024.

/s/ Clare R. Hochhalter

Clare R. Hochhalter, Magistrate Judge

United States of America

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